

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA,

v.

21-CR-167 (JLS) (JJM)

MELANY RIVERO-ANDRILLON,

Defendant.

DECISION AND ORDER

On April 4, 2025, before the Honorable Jeremiah J. McCarthy, United States Magistrate Judge, Defendant Melany Rivero-Andrillon waived indictment and pleaded guilty to Count 1 of the Superseding Information, charging a violation of Title 21, United States Code, Section 846 (conspiracy to possess with intent to distribute, and to distribute, cocaine). *See* Dkt. 490, 491.

On May 2, 2025, Judge McCarthy filed a Report and Recommendation (“R&R”) recommending that Defendant’s plea of guilty be accepted and that Defendant be adjudged guilty. *See* Dkt. 501.

The Court has not received objections to the R&R in accordance with Title 28, United States Code, Section 636(b)(1), and Rule 59(b) of the Federal Rules of Criminal Procedure, and the time to object now has expired.

This Court has carefully reviewed *de novo* Judge McCarthy’s R&R (Dkt. 501), the plea agreement (Dkt. 490), the Superseding Information (Dkt. 489), the waiver

of indictment (Dkt. 488), a transcript of the plea proceeding, and the applicable law. This Court finds no legal or factual error in Judge McCarthy's R&R, and, therefore, adopts Judge McCarthy's recommendation that Defendant's plea of guilty be accepted and that Defendant be adjudged guilty of Count 1 of the Superseding Information.

IT IS HEREBY ORDERED that this Court adopts Judge McCarthy's May 2, 2025 R&R (Dkt. 501), in its entirety, including the authorities cited and the reasons given therein, and it is further

ORDERED that the Court accepts Defendant's plea of guilty and defers acceptance of the plea agreement pursuant to Sentencing Guidelines Section 6B1.1(c), and Defendant Melany Rivero-Andrillon is now adjudged guilty under Title 21, United States Code, Section 846.

SO ORDERED.

Dated: June 5, 2025
Buffalo, New York



JOHN L. SINATRA, JR.
UNITED STATES DISTRICT JUDGE